

**SOUTH DAKOTA DEPARTMENT OF EDUCATION
SPECIAL EDUCATION PROGRAMS**

**Pierre School District
Continuous Improvement Monitoring Process Report 2003-2004**

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Dates of On Site Visit: November 3rd, 4th and 5th, 2003

Date of Report: November 14, 2003

This report contains the results of the steering committee's self-assessment and the validation of the self-assessment by the Office of Special Education. The report addresses six principles – General Supervision, Free Appropriate Public Education, Appropriate Evaluation, Procedural Safeguards, Individualized Education Program and Least Restrictive Environment. Each principle is rated based on the following scale:

Promising Practice	The district/agency exceeds this requirement through the implementation of innovative, high-quality programming and instructional practices.
Meets Requirements	The district/agency consistently meets this requirement.
Needs Improvement	The district/agency has met this requirement but has identified areas of weakness that left unaddressed may result in non-compliance.
Out of Compliance	The district/agency consistently does not meet this requirement.
Not applicable	In a small number of cases, the standard may not be applicable for your district/agency. If an item is not applicable, the steering committee should briefly explain why the item is NA. Example – no private schools within the district boundaries.

Principle 1 – General Supervision
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General supervision means the school district's administrative responsibilities to ensure federal and state regulations are implemented and a free appropriate public education is provided for each eligible child with a disability. The specific areas addressed in principle one are child find, referral procedures, children voluntarily enrolled by parents in private schools, students placed by the school district, improving results through performance goals and indicators (assessment, drop out, graduation), professional development, suspension and expulsion rates.

Steering Committee Self-Assessment Summary

Data sources used:

- Comprehensive plan for special education
- Curriculum and staff needs assessment
- Surveys
- Parental rights document
- Teacher file reviews
- Private school information
- State data tables
- Child find data
- Special services forms

Promising practice

The steering committee concluded the district effectively implements on-going child find activities to identify children with disabilities ages birth to 21. Child find is a cooperative community effort with referrals that are received from medical, preschool and daycare personnel as well as parents. This effort originated by school staff providing inservices/fliers in those environments. The Pierre school district recognizes the need for a uniform system to maintain records of all child find activities.

A review of the 2001-2002 suspension and expulsion data reflects three students with disabilities in the district were suspended for more than 10 school days. Fourteen non-disabled students were suspended or expelled for more than 10 school days during the same time period.

The Pierre school district and board of education has adopted the “Boys Town Social Skills Model” as a behavior intervention program. All staff are trained in this model. All new staff are provided training as they are hired. The district offers “Common Sense” parenting classes at no charge to any parent in the district.

After analyzing the staff needs assessment, the curriculum director and staff development committee organized continuing educational opportunities offered on an ongoing basis for graduate credit. Approximately 400 registrations were received for participation in the summer course offerings.

Meets requirements

The steering committee concluded the district has an effective pre-referral and referral system in place to ensure students are identified. This is outlined in the comprehensive plan. The district follows the IDEA regulations in providing services to private school students. When the district refers or places a child with disabilities in a private school or facility, district representatives attend and participate in all meetings pertaining to the education of the child including the IEP. This ensures that special education and related services are provided in accordance with IDEA regulations. The district receives feedback from the private facilities on a regular basis, which enables the district to monitor services provided. Parents are also involved in the meetings either by conference call or in person.

SAT 9 scores were reported for grades 2, 4, 8 and 11 for the years 1999 through 2002. In the spring of 2003 the district administrated the SAT 10 to grades 3 through 8 and grade 11. All 32 staff members are certified or licensed to work with children with disabilities. None of the staff are on an authority to act status. Hiring fully certified staff is a priority for the Pierre school district.

Validation Results

Promising practice

Through interview and observation the monitoring team concluded the district child find activities are an area of positive practice. Public screenings for children birth through 5 years are conducted 4 times per year. Notices are published in the “Reminder” which is sent to all community residents. Head start assists in the child find process by taking appointments and developing the schedule. Children may be screened at any time during the school year. Two pediatric physicians are also involved in the screening

activities. Emphasis is placed on early identification/intervention and educating the community, family and daycare providers.

Implementation of the “Boys Town Social Skills Model” was also validated as a promising practice. All staff receives training in the model, including custodians, secretaries and newly hired staff. Training is provided to new hires at Boys Town, or trainers are brought to the district to provide the information. The district has adopted this program as a way of doing business. All 16 skills are posted in the classrooms. Each fall, teachers participate in role play and review of the principles. A specific character trait is identified monthly and linked to classroom skills. Information regarding the character traits is sent home to families in a monthly newsletter. Counselors also invite parents to participate in Common Sense parenting classes conducted 3 times a year at no cost.

Other areas identified as promising practices were not validated by the monitoring team. The provision of a free appropriate public education (FAPE) is a requirement. Therefore, the team was not able to validate suspension/expulsion as a promising practice. Staff interviews indicated training opportunities have improved but more are needed.

Meets requirements

The monitoring team validates that the Pierre School District has a pre-referral and referral system to ensure students are identified. The district participates in the IEPs of private school children. SAT scores were reported in accordance with requirements and that all district staff are certified or licensed to work with children with disabilities.

Out of compliance

24:05:17:03. Annual report of children served.

The monitoring team was unable to validate an IEP was in effect on December 3rd, 2001 for 46 students who were listed on the district’s 2002 child count.

Principle 2 – Free Appropriate Public Education

All eligible children with disabilities are entitled to a free appropriate public education in the least restrictive environment. The specific areas addressed in principle two are the provision of FAPE to children residing in group homes, foster homes, or institutions, making FAPE available when a child reaches his/her 3rd birthday and providing FAPE to eligible children with disabilities who have been suspended or expelled from school for more than 10 cumulative days.

Steering Committee Self-Assessment Summary

Data sources used:

- Preschool age numbers of children screened
- Personnel development information
- Needs assessment information
- Personnel training
- Budget information
- District records of release to outside agencies
- File reviews
- State data tables
- Parent Rights Booklet
- Comprehensive Plan

Meets requirements

The district's comprehensive plan and Parental Rights brochure outlines all requirement of a FAPE for eligible students with disabilities. The school district ensures eligible children with disabilities, who have been suspended or expelled from school for more than 10 cumulative school days, are provided FAPE.

Validation Results**Promising practice**

Through observation and interview, the monitoring team concluded, the Right Turn program is an area of positive practice for the district. The alternative program is a collaborative effort between vocational rehabilitation and the school district. The program provides an alternative to the regular classroom for students to make up or receive general curriculum credit towards graduation requirements. Students with disabilities have participated in this program in order to meet the districts graduation requirements and transition to post secondary programs.

Meets requirements

The monitoring team agrees with all areas identified by the steering committee as meeting the requirements in the area of general supervision.

Out of compliance

24:05:25:22. IEP team to develop individual education program. If the child is determined to be in need of special education or special education and related services, the placement committee shall develop an appropriate individual education program for the child. At the beginning of each school year thereafter, the district must have in effect an IEP for each child with disabilities within its jurisdiction.

The monitoring team confirmed, through interview, services for some elementary children are not implemented at the beginning of the school year. Special education and/or speech services are delayed from 1 to 2 weeks to accommodate scheduling and organizational issues.

Principle 3 – Appropriate Evaluation

A comprehensive evaluation is conducted by a team of knowledgeable staff, which also includes parental input. A valid and reliable evaluation will result in effective individualized education programs for eligible students. The specific areas addressed in principle three are written notice and consent for evaluation, evaluation procedures and instruments, eligibility determination, reevaluation and continuing eligibility.

Steering Committee Self-Assessment Summary

Data sources used:

- Teacher file reviews
- Surveys
- DDN Campus
- General curriculum information
- Comprehensive Plan
- Needs assessment information
- Personnel training
- Budget information
- List of tests currently used in the district
- List of out of district testing services used by the district
- Interpreters/signers used in the district
- Personnel with designated certification

Meets requirements

The Pierre School District does not assess students prior to obtaining written consent from the parents. Pierre School District's comprehensive plan outlines evaluation and reevaluation procedures. Staff refers to the state technical assistance guide when determining what evaluation instruments to use.

Needs improvement

There is a multidisciplinary team document in the district; however, in 8 files reviewed it was not present. According to the surveys, parents have input in the evaluation process and test results are helpful in the development of the IEP. Data indicates procedure requirements are not always followed to ensure students are appropriately evaluated for continuing eligibility.

Validation Results

Meets requirements

The review team validates that the Pierre School District comprehensive plan outlines evaluation and reevaluation procedures. Staff members refer to the state technical assistance guide when determining what evaluation instruments to use. Other areas identified by the steering committee as meeting requirements were not validated by the steering committee.

Needs improvement

Parent input into the evaluation process was documented in the majority of files reviewed by the monitoring team. The district needs to continue its efforts toward meeting this requirement.

The monitoring team validated the need to improve the consistent use of the multidisciplinary team document. Through interview and file reviews, the monitoring team found a variety of forms used by the district to document team decision for students suspected of having a learning disability. Some of the formats used doubled as an eligibility document. In both cases, the evaluation summary did not consistently contain all of the testing results to determine if the student has a disability.

Out of compliance

24:05:25:03. Preplacement evaluation.

Before any action is taken concerning the initial placement of a child with disabilities in a special education program, a full and individual evaluation of the child's educational needs must be conducted in accordance with the requirements of this chapter. Evaluations must be completed within 25 school days after receipt by the district of signed parent consent to evaluate unless other timelines are agreed to by the school administration and the parents. Consent for initial evaluation may not be construed as consent for initial placement.

24:05:25:06.01. Consent for reevaluation.

Before conducting a reevaluation of an eligible child, parental consent is required, unless the district has documented every reasonable measure has been taken to acquire the consent.

Parent consent was not obtained for evaluations for 4 students. Two students received a transition evaluation without parental consent. Previous ability, behavior and depression evaluations were used to determine eligibility for another student and were not included on the prior notice/consent.

Evaluations were not administered when parent consent was obtained. Consent was provided for a transition evaluation to be conducted and it was not administered. In other situations, parent consent was provided to give developmental tests which were not administered. Consent was provided to assess the area of articulation and the evaluation was not administered.

24:05:25:04. Evaluation procedures.

The school districts shall ensure the child is assessed in all areas related to the suspected disability, including, as applicable, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities.

24:05:25:04.03. Determination of eligibility.

Upon completing the administration of tests and other evaluation materials, the individual education program team shall determine whether the student is a student with a disability.

Through interview and file reviews, the monitoring team noted a student identified under the category of autism, did not have an adaptive behavior or behavior evaluation administered to determine eligibility under this category. A student identified as other health impaired, was reported by staff to be a student with mental retardation. Another student identified as other health impaired, was receiving speech therapy with occupational and physical therapy as related services. A student identified on child count as emotionally disturbed, was reported as having a specific learning disability on the multidisciplinary team written report. Behavior concerns were noted in the files of 3 students and not addressed during the evaluation process. According to a multidisciplinary team report dated 11-22-02, a student was no longer eligible as a learning disabled student and was dismissed from special education. On 10-17-03 an IEP was written and the student was "reinstated" without the benefit of placement evaluation.

24:05:25:04. Evaluation procedures.

The school district shall ensure a variety of assessment tools and strategies are used to gather relevant functional and development information about the child, including information provided by the parents, that may assist in determining whether the child is a child with a disability and the content of the child's IEP.

In 32 of 56 files reviewed, functional assessment was not administered; did not reflect skill based information to determine present levels of performance; did not link to present levels of performance/annual goals, and was not summarized into a written report which could be provided to parents.

24:05:25:04.03. Determination of eligibility.

Upon completing the administration of tests and other evaluation materials, the individual education program team shall determine whether the student is a student with a disability. The school district shall provide a copy of the evaluation report and the documentation of determination of eligibility to the parent.

A written summary of evaluation results was not developed and provided to the parents of 29 students receiving speech and language services. Achievement reports were not available to parents for 23 students. Transition information was not reported and provided to the parents of two students.

Issues requiring immediate attention

24:05:22:03. Certified child.

A certified child is a child in need of special education or special education and related services who has received a multidisciplinary evaluation and has an individual education program formulated and approved by a local placement committee. Documentation supporting a child's disabling condition as defined by Part B of the Individuals with Disabilities Education Act must be maintained by the school district for verification of its annual federal child count. This definition applies to all eligible children ages 3 to 21, inclusive, and to only those children under the age of 3 who are in need of prolonged assistance.

A student was dismissed from special education services on 11-22-02. According to the multidisciplinary team report this student was no longer eligible as a learning disabled student. On 10-17-03 an IEP was written and the student was “reinstated” without the benefit of placement evaluation. The district must conduct a comprehensive evaluation and determine if the student meets the requirement of a certified child.

24:05:24.01:01. Students with disabilities defined.

Students with disabilities are students evaluated in accordance with chapter 24:05:25 as having autism, deaf-blindness, deafness, hearing impairment, mental retardation, multiple disabilities, orthopedic impairment, other health impairments, emotional disturbance, specific learning disabilities, speech or language impairments, traumatic brain injury, or visual impairments including blindness, which adversely affects educational performance, and who, because of those disabilities, need special education or special education and related services. If it is determined through an appropriate evaluation, under chapter 24:05:25, that a student has one of the disabilities identified in this chapter, but only needs a related service and not special education, the student is not a student with a disability under this article. If, consistent with this chapter, the related service required by the student is considered special education, the student is a student with a disability under this article.

The IEP of a student, identified on child count as other health impaired, contains related services only. The IEP does not verify the need for special education. The district must conduct a comprehensive evaluation to determine if this student is a student with a disability and is in need of special education or special education and related services according to ARSD chapter 24:05:25.

Principle 4 – Procedural Safeguards

Parents of children with disabilities have certain rights available. The school makes parents aware of these rights and makes sure they are understood. The specific areas addressed in principle four are adult student/transfer of rights, content of rights, consent, written notice, confidentiality and access to records, independent educational evaluation (IEE), complaint procedures, and due process hearings.

Steering Committee Self-Assessment Summary

Data sources used:

- Comprehensive Plan
- Staff Interview
- Parent rights brochure
- Prior notice form

Meets requirements

The Pierre School District provides the parent rights brochure with the initial prior notice/consent for evaluation and reevaluation, prior notice of placement committee meetings, and at IEP meetings. The school district utilizes the consent document and parent rights brochure for initial referrals for evaluation, initial placement, reevaluation and extended school year.

The district's comprehensive plan and placement team ensures the rights of a child are protected if no parent can be identified. The school district works closely with the Department of Social Services and court services to determine and contact a student's legal guardian.

Student files contained a list of types and location of records along with a record of review log. Parents receive a copy of the evaluation reports, the multidisciplinary team report and the IEP at respective IEP meetings. The comprehensive plan and Family Education Rights and Privacy Act (FERPA) notice outlines procedures for parents to inspect and review all educational records.

The comprehensive plan outlines policies and procedures for responding to complaint actions. The district has had no complaints filed in the past 5 years. The comprehensive plan outlines policies and procedures for responding to requests for due process hearings. The district has not had a request for a due process hearing within the past 5 years.

Validation Results

Meets requirements

The monitoring team validated the areas identified by the steering committee as meeting requirement except for types and location of records and parents receiving a copy of the evaluation reports. Additional information pertaining to evaluation reports can be found under Principle 3, evaluation procedures.

Needs improvement

Through interview and review of records, the monitoring team noted the types and location of records in student files did not consistently reflect an accurate location of student information. The district needs to review the current location of records and update the types and locations list.

Principle 5 – Individualized Education Program

The Individualized Education Program (IEP) is a written document for a child with a disability that is developed, reviewed and revised by the IEP team, which includes the parent. The specific areas addressed in principle five are IEP team, IEP content, transition components for secondary IEPs, annual reviews, transition from early intervention program, and IEP related issues.

Steering Committee Self-Assessment Summary

Data sources used:

- Comprehensive plan
- Teacher file reviews
- Student progress data
- Personnel development information
- Needs assessment information
- Personnel training
- Budget information

Meets requirements

The steering committee concluded the district provides prior notice for all IEP meetings. The prior notice and the IEP contain all required content. District staff has received training on Infinite Campus special education component. Transition is addressed in all IEPs of students age 14 and older. The district contracts with OAHE, INC to provide services to students such as the STEP program. The district acknowledges that documentation is needed in the area of transition assessment. The comprehensive plan outlines the policies and procedures to ensure that an appropriate IEP is developed for eligible students.

Out of compliance

The steering committee concluded team members such as administrators, regular education teachers and outside agency representatives were not always present at IEP team meetings.

Validation Results

Meets requirement

The monitoring team agrees with areas identified by the steering committee as meeting requirements with the exception of addressing transition at age 14 and conducting transition assessment. Additional information pertaining to the area of transition is located below.

Out of compliance

24:05:27:01.01. IEP team.

Each school district shall ensure that the IEP team for each student with disabilities include the parents of the student, at least one regular education teacher, a special education teacher and a representative of the school district who:

- (a) Is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of students with disabilities;
- (b) Is knowledgeable about the general curriculum; and
- (c) Is knowledgeable about the availability of resources of the school district.

Through interview and file reviews, the monitoring team found no administrator present at the meeting for nine students. A regular educator was not present at the IEP meeting for two students. A special educator was not present at the meeting for one student. An administrator or designee was not present at IEP team meetings conducted for private school students in the district.

24:05:27:01.03. Content of individualized education program.

A student's IEP must contain present levels of performance based upon the specific skill areas affected by the student's disability. The present levels of performance are based upon the functional assessment information gathered during the comprehensive evaluation process. Present levels of performance must contain the student's strength, needs, effect of the disability on the student's involvement/progress in the general curriculum and parent input.

In 28 of 35 files reviewed, present levels of performance were not consistently linked to functional evaluation due to the lack of functional assessment or the lack of a written analysis of the information.

Transition strengths and needs were not included in the present levels of performance in 5 files reviewed. Annual goals did not specify skills the student could reasonably accomplish within a 12 month period. For example, "... will complete grade level math with 90% accuracy in 4 of 5 trials", and "...will increase reading ability to achieve the requirements of the average 3rd grade student by the end of the year".

24:05:27:01.03. Content of individualized education program.

Progress Reporting

Each student's individualized education program must include a statement of how the student's progress toward the annual goals will be measured and how the student's parents will be regularly informed at

least as often as parents of non-disabled students are informed. The monitoring team concluded through file reviews and staff interviews, that progress toward annual goals was not reported to parents as often as reported for non-disabled students. Progress was reported for children in the early childhood program twice a year. Progress is reported for all other district students four times per year.

24:05:27:13 Modifications to regular vocational program

24:05:27:13.02 Transition services

Transition services are a coordinated set of activities for a student, designed within an outcome-oriented process, which promotes movement from school to post-school activities. The coordinated set of activities shall be based on the individual student's needs, taking into account the student's preferences and interests, and shall include instruction, related services, community experiences, the development of employment and other post-school adult living objectives, and, if appropriate, the acquisition of daily living skills and functional vocational evaluation.

Through interview and file reviews, the review team found transition evaluation was not administered for 3 students approaching transition age, in order to design an outcome oriented process which promotes movement from school to post-secondary school activities. Transition activities were addressed but were not tied to present levels of performance and evaluation. Transition services and activities are not being utilized as a planning device to help ensure the students achieved their desired outcomes for employment and independent living. The course of study for 8 students did not state the specific electives. A statement referring the reader to the district's handbook was included in the comment section and was not consistently developed through the 12th grade.

Issues requiring immediate attention

24:05:27:08. Yearly review and revision of individual educational programs.

Each school district shall initiate and conduct IEP team meetings to periodically review each child's individual educational program and, if appropriate, revise its provisions. An IEP team meeting must be held for this purpose at least once a year.

Through interview and a review of records, the monitoring team found that a student's IEP team meeting was due on 10-2-03 and was extended to 10-30-03. Another student's IEP team meeting, due on 9-18-03, was not held until 10-06-03. The IEP team meeting for another student, due on 12-3-03, has been extended to January of 2004. The district must meet and revise this student IEP prior to placing the student on the annual child count.

Services required by a student to benefit from special education or special education and related services must be written into the students IEP. An IEP developed for a student following some additional evaluation did not incorporate current speech/language services received by the student into the new IEP as a related service. Services continue to be provided through two separate IEPs. The district must meet and develop one IEP that includes all services required by the student to benefit from education.

Principle 6 – Least Restrictive Environment

After the IEP is developed or reviewed, the IEP team must decide where the IEP services are to be provided. Consideration begins in the general education classroom for school age students. The specific areas addressed in principle six are placement decisions, consent for initial placement, least restrictive environment procedures, preschool children, and LRE related issues.

Steering Committee Self-Assessment Summary

Data sources used:

- File reviews
- Parent, Student, General educator surveys
- General curriculum information
- Needs assessment information
- Personnel training
- Budget information

Promising practice

The steering committee concluded over half of students in the district on an IEP have been placed in the regular classroom with modifications over the last three years. The district provides opportunities for general and special education teachers planning time to adapt curriculum and co-teach in order to help meet the needs of all students in the least restrictive environment. This includes team planning time, trained paraprofessionals, and support from the administration in effective teaching strategies. The district has made a commitment of funds and time to provide continuing education opportunities for all staff in a variety of areas.

Students are afforded many opportunities to participate in activities with their peers. Programs such as Circle of Friends, WEB, Big Green Welcome, and building transition orientations have helped link students with disabilities to peer supports.

Validation Results

Promising practice

The monitoring team validated programs such as Circle of Friends, WEB, and Big Green Welcome as opportunities the district provides to help link students with disabilities to peer supports.